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(Original Signature of Member)

115TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To terminate the granting of temporary protected status to aliens, to provide for adjustment of status for former temporary protected status holders, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. COFFMAN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To terminate the granting of temporary protected status to aliens, to provide for adjustment of status for former temporary protected status holders, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “TPS Act”.

1   **SEC. 2. TERMINATION OF GRANTS OF TEMPORARY PRO-**  
2                   **TECTED STATUS.**

3           Section 244 of the Immigration and Nationality Act  
4   (8 U.S.C. 1254a) is amended by adding at the end the  
5   following:

6           “(j) TERMINATION.—

7                   “(1) IN GENERAL.—Beginning on the date of  
8           the enactment of this subsection, no alien shall be el-  
9           igible for a new grant of temporary protected status  
10          under this section, except for an alien with an appli-  
11          cation under subsection (a) pending on such date  
12          pursuant to a designation of a foreign state made  
13          under subsection (b) before such date.

14                  “(2) EXTENSION OF PERIOD.—Notwithstanding  
15          any other provision of this section, in the case of an  
16          alien having temporary protected status on the date  
17          of the enactment of this subsection, or obtaining a  
18          grant of temporary protected status pursuant to an  
19          application described in paragraph (1), the period in  
20          which the alien is granted temporary protected sta-  
21          tus under this section is deemed to be the 3-year pe-  
22          riod beginning on the date of the enactment of this  
23          subsection, and the documentation described in sub-  
24          section (d) shall be valid during such period. The  
25          provisions of subsections (c) through (h) shall con-  
26          tinue to apply during such period.”.

1 **SEC. 3. PERMANENT RESIDENT STATUS FOR FORMER TPS**  
2 **HOLDERS.**

3 (a) IN GENERAL.—The Secretary of Homeland Secu-  
4 rity shall adjust the status of an alien to that of an alien  
5 lawfully admitted for permanent residence if the alien—

6 (1) had temporary protected status on the day  
7 before the end of the 3-year period beginning on the  
8 date of the enactment of this Act;

9 (2) makes application for such adjustment dur-  
10 ing period beginning 6 months before the end of the  
11 3-year period beginning on the date of the enact-  
12 ment of this Act;

13 (3) is admissible as an immigrant under the  
14 Immigration and Nationality Act (8 U.S.C. 1101 et  
15 seq.) at the time of examination for adjustment of  
16 such alien, except that in the determination of the  
17 alien's admissibility for purposes of this section, the  
18 Secretary shall apply the terms of section  
19 244(c)(2)(A) of such Act (8 U.S.C. 1254a(c)(2)(A));  
20 and

21 (4) otherwise satisfies the requirements of this  
22 section.

23 (b) PROCEDURES.—The Secretary shall by rule es-  
24 tablish a procedure allowing eligible individuals to apply  
25 for the relief available under this section without requiring  
26 placement in removal proceedings and without requiring

1 the immediate availability of an immigrant visa pursuant  
2 to the provisions of the Immigration and Nationality Act  
3 (8 U.S.C. 1101 et seq.). Such procedure shall provide for  
4 the ability of a minor to apply for such relief, including  
5 through a legal guardian or counsel. Except as provided  
6 in subsection (g), aliens provided status under this section  
7 shall not be subject to, or counted against, any numerical  
8 limitation under sections 201 through 203 of the Immi-  
9 gration and Nationality Act (8 U.S.C 1151-1153).

10 (c) APPLICATION FEE.—The Secretary may require  
11 an alien applying for permanent resident status under this  
12 section to pay a reasonable fee that is commensurate with  
13 the cost of processing the application.

14 (d) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC  
15 DATA.—The Secretary may not grant an alien permanent  
16 resident status under this section unless the alien submits  
17 biometric and biographic data, in accordance with proce-  
18 dures established by the Secretary. The Secretary shall  
19 provide an alternative procedure for aliens who are unable  
20 to provide such biometric or biographic data because of  
21 a physical impairment.

22 (e) BACKGROUND CHECKS.—

23 (1) REQUIREMENT FOR BACKGROUND  
24 CHECKS.—The Secretary shall utilize biometric, bio-

1 graphic, and other data that the Secretary deter-  
2 mines appropriate—

3 (A) to conduct security and law enforce-  
4 ment background checks of an alien seeking  
5 permanent resident status under this section;  
6 and

7 (B) to determine whether there is any  
8 criminal, national security, or other factor that  
9 would render the alien ineligible for such status.

10 (2) COMPLETION OF BACKGROUND CHECKS.—

11 The security and law enforcement background  
12 checks of an alien required under paragraph (1)  
13 shall be completed, to the satisfaction of the Sec-  
14 retary, before the date on which the Secretary  
15 grants such alien permanent resident status under  
16 this section.

17 (f) TREATMENT OF ALIENS PENDING GRANT OF  
18 PERMANENT RESIDENCE.—

19 (1) LIMITATION ON REMOVAL.—The Secretary  
20 or the Attorney General may not remove an alien  
21 who has pending an application for relief under this  
22 section and appears prima facie eligible for such re-  
23 lief;

24 (2) PROVISIONAL PROTECTED STATUS.—

1 (A) IN GENERAL.—In the case of an alien  
2 described in paragraph (1), the Secretary shall  
3 grant provisional protected presence to the alien  
4 and shall provide the alien with employment au-  
5 thorization effective until the date on which—

6 (i) the alien’s application for relief  
7 under this section is finally denied; or

8 (ii) the Secretary adjusts the status of  
9 the alien to that of an alien lawfully admit-  
10 ted for permanent residence.

11 (B) STATUS DURING PERIOD OF PROVI-  
12 SIONAL PROTECTED PRESENCE.—An alien  
13 granted provisional protected presence is not  
14 considered to be unlawfully present in the  
15 United States during the period beginning on  
16 the date such status is granted and ending on  
17 a date described in subparagraph (A), except  
18 that the Secretary may rescind an alien’s provi-  
19 sional protected presence and employment au-  
20 thorization under this paragraph if the Sec-  
21 retary determines that the alien—

22 (i) poses a threat to national security  
23 or a threat to public safety; or

1 (ii) has traveled outside of the United  
2 States without authorization from the Sec-  
3 retary.

4 (g) TEMPORARY REDUCTION IN IMMIGRANT VISAS.—

5 (1) IN GENERAL.—Beginning in fiscal year  
6 2022, subject to paragraph (2), the total number of  
7 immigrant visas available for a fiscal year under  
8 subsections (c) through (e) of section 201 of the Im-  
9 migration and Nationality Act (8 U.S.C. 1151), as  
10 modified by subsections (d) and (e) of section 203  
11 of the Nicaraguan Adjustment and Central Amer-  
12 ican Relief Act (8 U.S.C. 1151 note; 8 U.S.C. 1153  
13 note), shall be reduced by 50,000 from the number  
14 of visas otherwise available under such subsections  
15 for such fiscal year. In carrying out the preceding  
16 sentence, each category of family-sponsored, employ-  
17 ment-based, and diversity immigrant visa described  
18 in section 203 of such Act (8 U.S.C. 1153) shall be  
19 reduced in the same proportion as the number of  
20 visas otherwise allocable to the category bears to the  
21 total number of immigrant visas that otherwise  
22 would be available for the fiscal year absent the en-  
23 actment of this subsection.

1           (2) LIMITATION.—In no case shall the reduc-  
2           tion under paragraph (1) for a fiscal year exceed the  
3           amount by which—

4                   (A) the total number of individuals who  
5                   have adjusted their status to that of aliens law-  
6                   fully admitted for permanent residence under  
7                   subsection (a) as of the end of the previous fis-  
8                   cal year; exceeds

9                   (B) the total of the reductions in available  
10                  visas under this subsection for all previous fis-  
11                  cal years.

12          (h) DEFINITION.—In this section, the term “Sec-  
13          retary” means the Secretary of Homeland Security.